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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,103	12/21/2000	Allan J. Hinchey	11775ROUS01U	2209

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Docket Clerk  
P O Drawer 800889  
Dallas, TX 75380

EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 04/22/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/746,103

Applicant(s)

HINCHEY ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is responsive to an amendment filed on 01/23/04. Claims 1-27 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-27 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4-6, 9-19, 21-24 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by White et al. (U.S. Patent No. 6,069,890).

Regarding claims 1, 24 and 27, White teaches receiving a call request, the call request comprising Internet call prefix followed by the telephone number (i.e., input information) being for a telephony call (fig.4, fig.5; col.9, lines 11-15).

White further teaches determining at least one prefix \*82 (i.e., call attribute) from the Internet call prefix followed by the telephone number (fig.4, fig.5; col.9, lines 11-18).

White further teaches transmitting a routing policy request to query an Internet address database (i.e., route database) (fig.4, fig.5; col.9, lines 11-24).

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White further teaches responsive to the routing policy request, receiving a routing policy response, the response comprising at least one access code (i.e., routing parameter) (fig.4, fig.5; col.9, lines 11-27).

White further teaches using the at least one access code to influence call set up (fig.4, fig.5; col.9, lines 11-27).

Regarding claims 2 and 15, White teaches that at least one routing parameter comprises an international (i.e., preferred) route (fig.5; col.9, lines 21-27).

Regarding claims 4 and 17, White teaches that the input information comprises a called alias (fig.5; col.9, lines 11-18).

Regarding claims 5 and 18, White teaches that the called alias is a telephone number (fig.5; col.9, lines 11-18).

Regarding claims 6 and 19, White teaches that the telephone number is inherently qualified to conform to a numbering plan (fig.5; col.9, lines 11-18).

Regarding claims 9 and 21, White teaches that the called alias is an alphanumeric alias associated with a telephony device (fig.4, fig.5; col.9, lines 11-18).

Regarding claims 10 and 22, White teaches that the routing policy response selects a route from the route database according to the at least one call attribute (fig.5; col.9, lines 11-18).

Regarding claims 11 and 23, White teaches that a routing policy accesses the route database for alias to endpoint mapping data (fig.5; col.9, lines 11-30, 36-41).

Regarding claim 12, White teaches that the input information originates from calling telephone 100 (i.e., one of a calling endpoint device, a network operator device and an interactive voice response unit) (fig.4, fig.5; col.9, lines 11-18).

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Regarding claim 13, White teaches a gateway router (i.e., controller) adapted to derive at least one prefix \*82 (i.e., call attribute) from a call request for a telephony transmission (fig.4, fig.5; col.9, lines 11-18).

White further teaches an Internet address database (i.e., route database) communicatively coupled to the gateway router, the Internet address database being adapted to receive a routing policy request from the gateway router, and transmit a routing policy response having at least one access code (i.e., routing parameter), the routing policy response generated responsive to a routing policy request based on the at least one prefix \*82 (fig.4, fig.5; col.9, lines 11-27).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U.S. Patent No. 6,069,890) and in view of Friedes et al. (U.S. Patent No. 5,311,572).

Regarding claims 3 and 16, White fails to teach "at least one routing parameter further comprises an alternate route". Friedes teaches that the at least one routing parameter further comprising an alternate route (col.9, lines 33-48). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify White to allow at least one routing parameter further comprising an alternate route as taught by Friedes. The motivation for the modification is to have doing so in order to provide alternate routing of the call.

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7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U.S. Patent No. 6,069,890) and in view of Lehmacher et al. (U.S. Patent No. 6,343,123).

Regarding claim 7, White fails to teach "the numbering plan conforms to the ITU-T E.164 standard". Lehmacher teaches that the numbering plan conforms to the ITU-T E.164 standard (col.1, lines 53-56). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Friedes to have the numbering plan conformed to the ITU-T E.164 standard as taught by Lehmacher. The motivation for the modification is to have doing so in order to provide a universal international toll-free phone number in the international numbering area.

8. Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U.S. Patent No. 6,069,890) and in view of Gudjonsson et al. (U.S. Patent No. 6,564,261).

Regarding claims 8 and 20, White fails to teach "the called alias is a Uniform Resource Locator (URL)". Gudjonsson teaches that the called alias is a Uniform Resource Locator (URL) (col.35, lines 13-18). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Friedes to have the called alias as a Uniform Resource Locator (URL) as taught by Gudjonsson. The motivation for the modification is to have doing so in order to have other form of originating information.

9. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friedes et al. (U.S. Patent No. 5,311,572) and in view of White et al. (U.S. Patent No. 6,069,890).

Regarding claim 25, Friedes teaches a LEC switch 103 for receiving a call request for a telephony call, the call request comprising alias information for the telephony call (fig.1; col.4, lines 4-15, col.6, lines 30-61; 'LEC switch 103' reads on the claim 'ingress call server having a receiver').

Friedes further teaches a processor adapted to derive at least one call originating information from a call request (col.4, lines 4-15, col.12, lines 19-35; 'processor' reads on the claim 'controller' and 'originating information' reads on the claim 'attribute').

Friedes further teaches a transmitter for transmitting a routing policy query request comprising the at least one call originating information (col.4, lines 4-15, col.6, lines 30-45; 'originating information' reads on the claim 'attribute').

Friedes further teaches a receiver for receiving a routing policy query request (col.4, lines 4-39, col.6, lines 30-45).

Friedes further teaches a processor adapted to translate at least one call originating information to endpoint routing information (fig.13, fig.14; col.4, lines 4-15, col.12, lines 19-35, col.15, lines 62-67, col.16, lines 1-10, 60-67; 'processor' reads on the claim 'controller' and 'originating information' reads on the claim 'attribute').

Friedes further teaches a transmitter for transmitting a routing policy query response comprising the endpoint routing information (col.4, lines 4-15, col.6, lines 30-45, col.15, lines 62-67, col.16, lines 1-10, 60-67).

However, Friedes fails to teach "a packet-switched communications network". White teaches an Internet (i.e., packet-switched) communications network (fig.4, fig.5; col.9, lines 11-

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41). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Friedes to have a packet-switched communications network as taught by White. The motivation for the modification is to have doing so in order to provide a universal international toll-free phone number in the international numbering area.

Regarding claim 26, Friedes teaches a LEC switch 121 comprising a receiver to receive a call server transfer signal from the LEC switch 103, the call server transfer signal defining call server transfer instructions from the LEC switch 103 to the LEC switch 121 (fig.1; col.4, lines 4-15, col.6, lines 30-68, col.7, lines 1-8; 'LEC switch 121' reads on the claim 'egress call server having a receiver' and 'LEC switch 103' reads on the claim 'ingress call server having a receiver').

### *Conclusion*

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.



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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [shafiulalam.elahce@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

**Any response to this action should be mailed to:**

**Box AF**

Commissioner of Patents and Trademarks

Washington, DC 20231

**or faxed to:**

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(703) 308-5397(for formal communications intended for entry; please mark "EXPEDITED  
PROCEDURE")

(703)**306-5406**(for informal or draft communications, such as proposed amendments to be  
discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

**or hand-carried to:**

Crystal Park Two

2121 Crystal Drive

Arlington, VA.

Sixth Floor (Receptionist)

M.E.

MD SHAFIUL ALAM ELAHEE

April 18, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

